IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 4499 OF 2006

IN

SUIT NO. 3540 OF 2006

SMT. LATA DEEPAK KATKAR ..PLAINTIFF

V/S

JAIWANT G. BHANDARI & ORS. ..DEFENDANTS

MR. KIRIT MODY I/B M/S. RMK LAW ASSOCIATES FOR THE PLAINTIFF.

MR. J. REIS I/B R.N. KACHARE FOR DEFENDANT NO.10.

MR. ASHOK PUROHIT FOR DEF. NO. 7 & 8.

MR. W. SHAIKH I/B M/S. P. MEHTA MITHI & CO. FOR DEFENDANT NO. 9.

CORAM : S.K. SHAH, J.

DATE : 5TH MARCH, 2007.

P.C.

1. Learned counsel for the plaintif seeks to withdraw the Suit as well as Notice of Motion unconditionally. The plaintiff has filed an affidavit admitting the execution of Deed of Release in favour of the Defendant Nos. 1 and

5. The defendants have no objection for allowing withdrawal of the Notice of Motion and the Suit unconditionally. It is undisputed that the said Deed of Release dated 3rd October 2005 has been registered with the Sub Registrar of Assurances on 1st November 2005.

2. The Suit as well as the Notice of Motion are allowed to be withdrawn. Both of them are dismissed as withdrawn with no order as to costs. The court fees with regard to the suit be refunded as per rules.

(S.K. SHAH, J.)